Attorney/Docket No. <u>31132.195</u> Customer No. 000027683



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Marik, et al.

Serial No.: 10/806,961

Filed: March 23, 2004

For: Constrained Artificial Spinal Disc

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Group Art Unit: 3738

Examiner: Unknown

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For: Constrained Artificial Spinal Disc

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

Registration No. 50,826

Date: 1/20/2009
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
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Certificate of Mailing

Printed Name

Signature

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In place of U.S. DEPARTMENT OF COMMERCE PTO-1449 PATENT AND TRADEMARK OFFICE Form JUL 2 3 2004 DISCLOSURE STOTEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known		
				Application Number	10/806,961	
				Filing Date	March 23,2004	
				Applicant(s)	Marik, et al.	
				Art Unit	3738	
				Examiner Name	Unknown	
SHEET	1	OF	1	Attorney Docket Number	31132.195	

			U. S. PATENT DO	DCUMENTS
Examiner's Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document
	AA	6,368,350	04/09/2002	Erickson, et al.
		<u> </u>		
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FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code – Number – Kind)	Publication Date	Patentee or Applicant of Cited Document	Translation Y/N
	BA	WO/02089701	11/14/2002	LDR Medical	Y
	ВВ	WO 2004/002291	01/08/2004	Nuvasive, Inc., et al.	Y

NON-PATENT LITERATURE DOCUMENTS				
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published		
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Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

R-80287.1 Customer No. 000027683